

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/103,846
Filing Date	6/24/98
First Named Inventor	Richard P. Woychik
Group Art Unit	1632
Examiner Name	J.T. Woitach
Attorney Docket Number	CASE-03330

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply & Response to OA mailed 1/16/2002.
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Req. for Extension of Time of 3 mos.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1290
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 07/22/2002 NGBREM1 00000030 081290 09103846
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:279 370.00 CH
02 FC:203 36.00 CH
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Signed on behalf of: **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Maha A. Hamdan	Registration No. (Attorney/Agent)	43,655
Signature	<i>Maha A. Hamdan</i>	Date	July 16, 2002

EXPRESS MAIL

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: July 16, 2002 on Express Mail Label EV 094 374 874 US

Name (Print/Type)	Cliff Cannon-Cin	Date	July 16, 2002
Signature	<i>Cliff Cannon</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



PATENT
Attorney Docket No. CA8E-03330

JUL 24 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard P. Woychik *et al.*

Serial No.: 09/103,846

Filed: 06/24/98

Entitled: **ALLELIC SERIES OF GENOMIC
MODIFICATIONS IN CELLS**


Group No.: 1632

Examiner: J.T. Woychik

AMENDMENT AND RESPONSE TO OFFICE ACTION MAILED JANUARY 16, 2002

Box RCE

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service in an envelope as Express Mail Post Office to Addressee Mailing Label EV 094 374 874 US addressed to: Box RCE, Assistant Commissioner for Patents, Washington, D.C. 20231	
Dated: <u>July 16, 2002</u>	By:  Cliff Cannon-Cin

Sir:

In response to the Final Office Action mailed January 16, 2002, Applicants respectfully request reconsideration of the application in view of the following amendments and remarks. Enclosed herewith is the fee and request for a three-month extension of time from April 16, 2002 to July 16, 2002.

Applicants respectfully request withdrawal of the finality of the Office Action mailed on January 16, 2002 as argued in the "Request For Withdrawal Of Finality Of Office Action Mailed January 16, 2002," enclosed herewith.

Should the Examiner disagree with Applicants' request to withdraw the finality of the Office Action, then this communication constitutes part of the submission which accompanies the Request for Continued Examination (RCE) filed herewith, and presents a response under 37 C.F.R. §1.116 to the Final Office Action, as well as arguments and evidence which are additional to those previously submitted by Applicants.

However, should the Examiner agree to withdrawal of the finality of the Office Action, then (1) this communication constitutes a response under 37 C.F.R. §1.111 to a non-

final Office Action, and (2) Applicants respectfully request crediting the accompanying RCE filing fee (\$370.00) to our **deposit account No. 08-1290**.

A clean version of the rewritten, added, and/or cancelled claims with instructions for entry pursuant to 37 C.F.R. §1.121 (c)(1)(i) is included beginning on page 3 of this communication. A marked-up version of rewritten, added, and/or cancelled claims pursuant to 37 C.F.R. §1.121 (c)(1)(ii) is attached as Appendix I. A clean version of the entire set of pending claims pursuant to 37 C.F.R. §1.121 (c)(3) as they would appear following entry of this amendment is attached as Appendix II. Please amend the application as follows.